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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: HARIRI, Robert J.

Confirmation No.: 6313

Application No.: 10/721,144

Group Art Unit: 1636

Filed: November 23, 2003

Examiner: McGillem, Laura L.

For: CYTOTHERAPEUTICS,
CYTOTHERAPEUTIC UNITS
AND METHODS FOR
TREATMENTS USING THEMAttorney Docket No.: 9516-495-999
(CAM: 501872-999494)TERMINAL DISCLAIMERMail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Anthrogenesis Corporation is the assignee of the entire right, title and interest in and to U.S. Patent Application No. 10/721,144 ("the '144 application") by virtue of an assignment from Robert J. Hariri to Anthrogenesis Corporation, recorded on May 19, 2004 at Reel 015340, Frame 0205.

Anthrogenesis Corporation is also the assignee of the entire right, title and interest in and to U.S. Patent Application No. 10/366,671 ("the '671 application") by virtue of an assignment from Robert J. Hariri to Anthrogenesis Corporation, recorded on August 11, 2003 at reel 014377 frame 0829. The '671 application has been allowed as of September 10, 2007.

Anthrogenesis Corporation hereby disclaims the terminal part of any patent granted on the above-identified '144 application that would extend beyond the expiration date of the patent issuing from the '671 application, and hereby agrees that any patent so granted on the above-identified '144 application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the patent issuing from the '671 application.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified '144 application prior to the expiration of the full statutory term of the patent issuing from the '671 application in the event that either patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in

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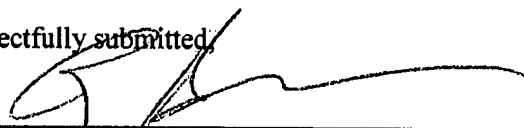
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whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

A fee of \$130.00 is believed due under 37 C.F.R. 1.20(d) for the submission of this terminal disclaimer. Please charge this, and any other required fees, to Jones Day Deposit Account No. 503013. A copy of this sheet is enclosed.

Date: 07 November 2007

Respectfully submitted,



Robert J. Hariri
for: Chief Executive Officer
Anthrogenesis Corporation
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